

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:

Jorg Bernard et al.

Application No.: 10/697,800

Confirmation No.: 1152

Filed: October 31, 2003

Art Unit: 1761

For: GELATIN-FREE, ISOMALTULOSE-  
CONTAINING SOFT CARAMEL

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Examiner: K. J. Mahafkey

**RESPONSE TO FINAL OFFICE ACTION**

**INTRODUCTORY COMMENTS**

In response to the Office Action dated October 15, 2008, please reconsider the above-identified U.S. patent application in light of the following remarks:

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 CFR 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 CFR 1.135. The fee under 37 CFR 1.17 should be charged to our Deposit Account No. 50-2215.